

633.231 Notice in intestate estates — medical assistance claims.

1. Upon opening administration of an intestate estate, the administrator shall, in accordance with section 633.410, provide by electronic transmission on a form approved by the department of human services to the entity designated by the department of human services, a notice of opening administration of the estate and of the appointment of the administrator, which shall include a notice to file claims with the clerk or to provide electronic notification to the administrator that the department has no claim within six months from the date of sending this notice, or thereafter be forever barred.

2. The notice shall be in substantially the following form:

NOTICE OF OPENING ADMINISTRATION
OF ESTATE, OF APPOINTMENT OF
ADMINISTRATOR, AND NOTICE
TO CREDITOR

In the District Court of Iowa
In and for County.
In the Estate of, Deceased
Probate No.

To the Department of Human Services Who May Be Interested
in the Estate of, Deceased, who died on or about
..... (date):

You are hereby notified that on the day
of (month), (year), an intestate estate was opened
in the above-named court and that was appointed
administrator of the estate.

You are further notified that the birthdate of the deceased
is and the deceased’s social security number
is-.....-..... The name of the spouse
is The birthdate of the spouse is and the
spouse’s social security number is-.....-....., and that
the spouse of the deceased is alive as of the date of this notice, or
deceased as of (date).

You are further notified that the deceased was/was not a disabled
or a blind child of the medical assistance recipient by the name of
....., who had a birthdate of and a social security
number of-.....-....., and the medical assistance debt
of that medical assistance recipient was waived pursuant to section
249A.53, subsection 2, paragraph “a”, subparagraph (1), and is now
collectible from this estate pursuant to section 249A.53, subsection
2, paragraph “b”.

Notice is hereby given that if the department of human services
has a claim against the estate for the deceased person or persons
named in this notice, the claim shall be filed with the clerk of the
above-named district court, as provided by law, duly authenticated,
for allowance within six months from the date of sending this notice
and, unless otherwise allowed or paid, the claim is thereafter forever
barred. If the department does not have a claim, the department
shall return the notice to the administrator with notification stating
the department does not have a claim within six months from the
date of sending this notice.

Dated this day of (month), (year)

.....
Administrator of estate

.....
Address

.....
Attorney for administrator

.....
Address

2001 Acts, ch 109, §1; 2002 Acts, ch 1119, §97; 2007 Acts, ch 134, §11; 2010 Acts, ch 1137, §4; 2011 Acts, ch 34, §139

Referred to in §633.410, 635.13

[T] Section not amended; internal reference change applied